

REMARKS

Claims 17, 18 and 21-26 and 29-31 are pending in this application. By this Amendment, claim 17, 22, 24, 25, 29 and 30 are amended and claims 27 and 28 are canceled. Claims 22, 24, 25, 29 and 30 are amended to improve their clarity. Support for the amendments to the claims may be found, for example, in the specification at paragraphs [0009], [0010], [0015], [0017], [0023], and [0055] and the original claims. No new matter is added.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution, and it addresses phrasing issues in the claims); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Reconsideration based on the above amendments and the following remarks is respectfully requested.

I. Rejection Under 35 U.S.C. §103

The Office Action rejects claims 17, 18, and 21-31 under 35 U.S.C. §103(a) over U.S. Patent No. RE 38,321 to Uyama et al., (hereinafter "Uyama") in view of U.S. Patent No. 6,641,874 to Kuntz et al. (hereinafter "Kuntz"), and further in view of U.S. Patent No. 5,005,719 to Phillips et al. (hereinafter "Phillips"). Applicants respectfully traverse the rejection

Without conceding the propriety of the rejection, independent claim 17 is amended to more clearly recite various novel features, with particular attention to the Examiner's comments. Specifically, claim 17 is amended to recite in-part (emphasis added):

...the multilayer thin film comprises a first multilayer thin film, a second multilayer thin film, and an optical absorption layer held between the first multilayer thin film and the second multilayer thin film,
both sides of the optical absorption layer have light selectivity of reflecting characteristics depending on a viewing angle,
the multilayer thin film is cut into strips, fibers, or small chips,
the support body is made of paper, and
the multilayer thin film is mixed into the support body when the support body was made.

The applied references, considered either separately or combined, fail to teach or render obvious, or establish any reason or rationale to provide such a combination of features, as recited in claim 17.

The Office Action acknowledges that Uyama fails to teach the cutting, shaping and supporting of the multilayer thin film and the use of an opening in a support body containing the multilayer film in order to establish light ray access to the film. See Office Action, pages 3 and 4. Thus, a first multilayer thin film, a second multilayer thin film, and an optical absorption layer held between the first multilayer thin film and the second multilayer thin film is clearly not disclosed by Uyama.

In addition, both sides of the optical absorption layer of Uyama do not have light selectivity of reflecting characteristics depending on a viewing angle, as required by claim 17. Page 7 of the Office Action refers to Uyama, col. 35 line 54 to col. 36 line 9; however, no mention is made in that portion of Uyama that both sides of the optical absorption layer have light selectivity of reflecting characteristics depending on a viewing angle. The Office Action asserts Kuntz and Phillips cure the deficiencies of Uyama.

Despite its asserted teachings, Kuntz does not cure the deficiencies of Uyama with respect to claim 17. In addition, the multilayer thin film of Kuntz is not mixed into a support body when the support body is formed into a paper. Furthermore, nowhere does Kuntz teach that the multilayer thin film is cut into strips or fibers.

Despite its asserted teachings, Phillips does not cure these deficiencies of Uyama and Kuntz with respect to claim 17. Similar to Uyama and Kuntz, both sides of the optical absorption layer of Phillips do not have light selectivity of reflecting characteristics depending on a viewing angle, as required by claim 17. Instead, Phillips is directed to articles that utilize tamper evident optical devices having first and second parts which are movable with respect to each other. The tamper evident optical device has its first and second layers secured respectively to the first and second parts of the article so that when the first and second parts of the article move with respect to each other, the release layer permits the movement of the first and second layers with respect to each other to destroy certain of the optical properties of the optical device.

Accordingly, for at least the reasons presented above, Uyama, Kuntz and Phillips, considered either separately or combined, fail to teach or suggest each and every feature of claim 17 and, thus, would not have rendered obvious claim 17.

Furthermore, the applied references are combined only based on the impermissible hindsight provided by the present disclosure, and even in combination the references would not have rendered obvious the method of claim 17.

It is Applicants that have discovered a novel discrimination medium for determining authenticity of an object by providing an optically discriminating mark on the object. The medium includes a multilayer thin film having light selectivity of reflecting characteristics depending on a viewing angle. The medium also includes a support body where the multilayer thin film is fixed or a masking sheet is fixed to a surface of the multilayer thin film

for masking a part of the surface. The multilayer thin film includes a first multilayer thin film, a second multilayer thin film, and an optical absorption layer held between the first multilayer thin film and the second multilayer thin film. Both sides of the optical absorption layer have light selectivity of reflecting characteristics depending on a viewing angle. The multilayer thin film is cut into strips, fibers, or small chips, the support body is made of paper, and the multilayer thin film is mixed into the support body when the support body was made.

Furthermore, it is Applicant's discrimination medium as recited in claim 17 that makes it possible to see the multilayer thin film through the outer layer of the support body although the fiber of the multilayer thin film is not exposed at the surface. Therefore, the phenomenon of the color clearly changing according to the change in the viewing angle can be checked visually. In addition, the color shifting characteristic is shown on both sides of the structure. Accordingly, when the structure is worked into strips or fibers, even if the structure has twists or is folded back on itself, the function of the color shifting is not lost. In addition, even if the structure is worked into chips and dispersed over a specific portion, front or rear surfaces thereof are not problems since the optical characteristic is exhibited on both sides of the structure, whereby the inside surface and the outside surface can be used. Such a feature is useful when a manufacturing method for making paper with added small discrimination sliver to the support body is adopted. Nowhere do any of the references teach or render obvious, or establish any reason or rationale to provide such a discrimination medium, as recited in claim 17, by which counterfeiting can be prevented and authenticity of articles can be easily and reliably determined.

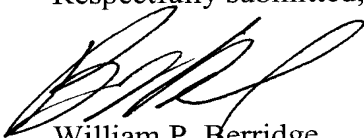
Accordingly, claim 17 would not have been rendered obvious by the applied references. Thus, claim 17 and its dependent claims are patentable. Accordingly, reconsideration and withdrawal of the rejection are earnestly solicited.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: March 2, 2009

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